

**AN ORDINANCE BY
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE II, SECTION 30-29(a)(1) OF THE CITY OF ATLANTA CODE OF ORDINANCES; TO PROVIDE ADDITIONAL CRITERIA TO THE RULES OF CONSIDERATION AS TO LICENSES AND PERMITS ISSUED BY THE CITY; AND FOR OTHER PURPOSES.

01-02-0083

WHEREAS, it is the policy of the City of Atlanta to screen all applications it receives for licenses and permits, subject to its police power, in order to secure and promote the public health, comfort, convenience, safety, welfare, and prosperity of the City of Atlanta and its inhabitants; and

WHEREAS, in some situations, violations of City ordinances may not be considered in issuing a license or permit under the police powers of the City of Atlanta, unless they result in a criminal conviction, though such violations are reasonably related to the job duties involved in the job for which a license or permit is sought; and

WHEREAS, the City of Atlanta recognizes that at times criminal actions are not legally prosecuted for reasons other than there being sufficient evidence to establish guilt; and

WHEREAS, the City recognizes that at times criminal actions may take extended periods of time to prosecute; and

WHEREAS, the City of Atlanta wishes to act in a reasonably expedient fashion in denying, suspending, or revoking licenses and permits where there exists due cause; and

WHEREAS, the City wishes to exempt City ordinances regarding licensing and permits from the general prohibition against the use of nolo contendere pleas against an applicant.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1. That Chapter 30, Article II, Section 30-29(a)(1) be amended to delete the current language and to insert in lieu thereof the following language:

All applications for a license or permit issued under the police powers of the city shall be reviewed for criminal history. Only convictions, pleas of nolo contendere, or violations of law, including city ordinances, reasonably related to the application, shall ever be considered. A nolo contendere plea shall not be taken into consideration and shall not be cause for or used as justification for denial of the application, except as otherwise provided by law or city ordinance.

Section 2. That Chapter 30, Article II, Section 30-29(b) be amended to add before the first sentence the following sentence:

All renewal applications for a license or permit issued under the police powers of the city shall be reviewed for criminal history.